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12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15

16 VALERIE CASHON, on behalf of herself
and all others similarly situated,

17 Plaintiff,

18 v.

19 KINDRED HEALTHCARE
20 OPERATING, INC., a Delaware
Corporation; GENTIVA CERTIFIED
21 HEALTHCARE CORP., a Delaware
Corporation; and DOES 1 through 15
22 inclusive,

23 Defendants.
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Case No. 3:16-cv-04889 RS

**JOINT STIPULATION TO FURTHER
EXTEND DEADLINE TO FILE MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT AND
HEARING ON MOTION FOR
PRELIMINARY APPROVAL;
~~PROPOSED~~ ORDER**

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Attorneys for Defendants
KINDRED HEALTHCARE OPERATING, INC. and GENTIVA
CERTIFIED HEALTHCARE CORP.

1 Plaintiff VALERIE CASHON ("Plaintiff") and Defendants KINDRED
2 HEALTHCARE OPERATING, INC. and GENTIVA CERTIFIED HEALTHCARE CORP.
3 ("Defendants") (collectively, the "Parties"), through their respective counsel, hereby stipulate,
4 subject to Court approval, as follows.

5 WHEREAS, on November 19, 2017 the parties participated in mediation in this
6 action;

7 WHEREAS, on November 28, 2017, Plaintiff filed a Notice of Proposed Class
8 Settlement and Request for Preliminary Approval Hearing Date [Dkt No. 58] in which Plaintiff
9 informed the court of a proposed settlement and sought a motion for preliminary approval of class
10 action settlement hearing date in late January 2018;

11 WHEREAS, on November 28, 2017, the Court issued an Order Staying Currently Set
12 Date and Setting Schedule for Preliminary Approval [Dkt No. 59] in which the Court ordered the
13 parties to file the motion for preliminary approval by January 11, 2018 and set the hearing regarding
14 preliminary approval on February 1, 2018 at 1:30 p.m. in Courtroom 3;

15 WHEREAS, on January 10, 2018, the Parties requested and the Court approved the
16 Parties' request to move the deadline to file the motion for preliminary approval from January 11,
17 2018 to January 25, 2018 and the hearing regarding preliminary approval from February 1, 2018 to
18 March 1, 2018 [Dkt Nos. 61 and 62];

19 WHEREAS, the Parties have been and continue to work diligently to prepare the
20 long-form stipulation regarding class settlement but have not yet finalized that agreement;

21 WHEREAS, the parties need further additional time to finalize that agreement after
22 which the motion for preliminary approval can be filed and heard;

23 WHEREAS, the parties believe that it would be most efficient for the parties and the
24 Court to continue by at least one month the deadline and hearing regarding motion for preliminary
25 approval;

26 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to
27 Court approval, as follows:
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1. The deadline for Plaintiff to file her motion for preliminary approval currently scheduled for January 25, 2018 shall be continued to March 1, 2018; and

2. The hearing on Plaintiff's motion for preliminary approval currently scheduled for March 1, 2018 shall be continued to March 22, 2018 or the Court's earliest available hearing date thereafter.

IT IS SO STIPULATED.

Dated: January 25, 2018

/s/ Anthony Perez
 ANTHONY PEREZ
 CHARLES L. POST
 BRENDAN J. BEGLEY
 Attorneys for Plaintiff
 VALERIE CASHON

Dated: January 25, 2018

/s/ Lisa Lin Garcia
ELIZABETH STAGGS WILSON
ALISON J. CUBRE
LISA LIN GARCIA
ANGELO SPINOLA
Attorneys for Defendants
KINDRED HEALTHCARE OPERATING,
INC., and GENTIVA CERTIFIED
HEALTHCARE CORP.

1 ~~PROPOSED~~ ORDER

2 Having considered the Parties' Joint Stipulation to Further Extend Deadline to File
3 Motion for Preliminary Approval of Class Action Settlement and Hearing on Motion for Preliminary
4 Approval, and good cause appearing therefor, the Court hereby orders as follows:

5 1. The deadline for Plaintiff to file her motion for preliminary approval is hereby
6 continued from January 25, 2018 to March 1, 2018;

7 2. The hearing on Plaintiff's motion for preliminary approval shall be set on
8 March 29, 2018 at 1:30 pm.

9 **IT IS SO ORDERED**

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11 Dated: 1/26/18

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13 HON. RICHARD SEEBORG
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